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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

LAZARO, DAVID R

ART UNIT

PAPER NUMBER

2155

DATE MAILED: 02/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/838,077	Applicant(s) LUNA ET AL.	
	Examiner David Lazaro	Art Unit 2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 6-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is in response to the amendment filed 10/21/04.
2. Claims 1, 3, 6-18 and 23-29 were amended.
3. Claim 5 was canceled.
4. Claims 1-4 and 6-29 are pending in this Office Action.

Response to Amendment

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action.
6. The Objections to Claims 2, 3, 5, 7, 18, 19 and 20 for minor informalities are withdrawn.

Claim Objections

7. Claim 22 is objected to because of the following informalities: In line 2, "the on-line service request" should just be "the request" for consistency. Appropriate correction is required.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-4 and 6-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,678,731 by Howard et al. (Howard) in view of U.S. Patent 6,590,588 by Lincke et al. (Lincke).

10. With respect to Claim 1, Howard teaches a method of using a communications device to access an on-line service provided by a network server (Col. 1 lines 7-20), the method comprising: accessing a proxy server based service (Col. 6 lines 58-67) in order to obtain information required by the network server in order to process a request to the on-line service (Col. 7 lines 16-27 and lines 48-64); wherein the request to the on-line service is sent via a secure connection previously established between the communications device and the network server (Col. 9 lines 57-65); and sending the information to the network server via the secure connection with the network server (Col. 7 lines 58 - Col. 8 line 12 and Col. 9 lines 43-62). While Howard teaches a generic communications device suitable for connecting to common networking environments (See Col. 4 line 14 - Col. 5 line 41), Howard does not explicitly disclose the communications device is as mobile communications device. Lincke teaches common communication devices for connecting to networks such as the Internet include mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3 line 24). It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by Howard and modify it as indicated by Lincke such that the method further comprises using a mobile communications device and wherein the request to the on-line service is sent via a secure connection previously established between the mobile communications device and the network server. One would be

motivated to have this as it is desirable to access networks such as the Internet through mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3 line 24 of Lincke).

11. With respect to Claim 2, Howard in view of Lincke teaches all the limitations of Claim 1 and further teaches determining what information is required by the network server in order to process the request (Col. 7 lines 58-67 and Col. 9 lines 43-62 of Howard).

12. With respect to Claim 3, Howard in view of Lincke teaches all the limitations of Claim 2 and further teaches determining what information is required by the network server comprises: sending the request (Col. 6 lines 43-55 and Col. 8 lines 1-13 of Howard) to the network server via the secure connection (Col. 9 lines 57-65 of Howard); and receiving a response to said request, said response being indicative of the required information (Col. 7 lines 58-67 and Col. 9 lines 43-62 of Howard).

13. With respect to Claim 4, Howard in view of Lincke teaches all the limitations of Claim 3 and further teaches accessing the proxy based service includes forwarding said response to the proxy server for processing (Col. 6 lines 53-57 and Col. 8 lines 56-65 of Howard).

14. With respect to Claim 6, Howard teaches a method for a proxy server to provide a proxy server based service to a communications device (Col. 1 lines 7-20 of Howard), the method comprising: receiving a request from the communications device to access the proxy server based service (Col. 7 lines 58-67 and Col. 9 lines 43-62); processing said request (Col. 7 lines 58-67 and Col. 9 lines 43-62 of Howard); and sending the result of said processing to the communications device for forwarding to a network

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server via a secure connection previously established between the communications device and the network server (Col. 8 lines 1-4 and Col. 9 lines 57-62 of Howard).

While Howard teaches a generic communications device suitable for connecting to common networking environments (See Col. 4 line 14 - Col. 5 line 41), Howard does not explicitly disclose the communications device is as mobile communications device.

Lincke teaches common communication devices for connecting to networks such as the Internet include mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3 line 24). It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by Howard and modify it as indicated by Lincke such that the communications device is a mobile communications device.

One would be motivated to have this as it is desirable to access networks such as the Internet through mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3 line 24 of Lincke).

15. With respect to Claim 7, Howard in view of Lincke teaches all the limitations of Claim 6 and further teaches wherein the request is the form of a response previously generated by the network server in reply to a request (Col. 7 lines 58-67 and Col. 9 lines 43-62 of Howard) by the mobile communications device (Col. 2 lines 5-26 and line 65 - Col. 3 line 24 of Lincke) to access an on-line service provided by the network server (Col. 6 lines 43-55 and Col. 8 lines 1-13 of Howard), the method then comprising providing a protocol to understand said response (Col. 4 lines 3-13 and Col. 9 lines 19-51 of Howard).

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16. With respect to Claim 8, Howard teaches a method for a network server to provide an on-line service to a communications device (Col. 1 lines 7-20), the method comprising: receiving a request (Col. 6 lines 43-55 and Col. 8 lines 1-13 of Howard) from the communications device during a secure connection previously established with the communications device (Col. 9 lines 57-65), the request being to the on-line service (Col. 6 lines 43-55 and Col. 8 lines 1-13); generating a response to said request, the response indicating additional information that is required by the network server in order to process said request (Col. 7 lines 58-67 and Col. 9 lines 43-62) and said response being in a format which is understandable by a proxy server associated with the communications device (Col. 4 lines 3-13 and Col. 8 lines 56-66); and sending the response to the communications device (Col. 7 lines 58-67 and Col. 9 lines 43-62). While Howard teaches a generic communications device suitable for connecting to common networking environments (See Col. 4 line 14 - Col. 5 line 41), Howard does not explicitly disclose the communications device is as mobile communications device. Lincke teaches common communication devices for connecting to networks such as the Internet include mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3 line 24). It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by Howard and modify it as indicated by Lincke such that the communications device is a mobile communications device. One would be motivated to have this as it is desirable to access networks such as the Internet through mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3 line 24 of Lincke).

17. With respect to Claim 9, Howard teaches a communications device, comprising: a processor (Col. 4 lines 19-30); a memory device (Col. 4 lines 19-51) having stored therein a code, which when executed by the processor causes the communications device to allow a user to input a request to an on-line service provided by a network server (Col. 6 lines 43-55, Col. 8 lines 1-13 and Col. 9 lines 19-21); determine whether additional information is required by the network server in order to service the request (Col. 7 lines 58-67 and Col. 9 lines 43-62); access a proxy server based service in order to obtain any additional information required by the network server (Col. 7 lines 58-67 and Col. 9 lines 43-62); and send a request to the network server, said request including the additional information (Col. 8 lines 1-13 and Col. 9 lines 43-62), wherein the request is part of a secure connection previously established between the communications device and the network server (Col. 9 lines 57-65). Howard does not explicitly disclose the communications device is as mobile communications device. Lincke teaches common communication devices for connecting to networks such as the Internet include mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3 line 24). It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the communications device disclosed by Howard and modify it as indicated by Lincke such that the communications device is a mobile communications device. One would be motivated to have this as it is desirable to access networks such as the Internet through mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3 line 24 of Lincke).

18. With respect to Claim 10, Howard in view of Lincke teaches all the limitations of Claim 9 and further teaches wherein the code to determine whether additional information is required by the network server comprises: instructions to establish the secure connection with the network server (Col. 9 lines 57-62 of Howard); instructions to send the user input request to the network server via said secure connection (Col. 6 lines 43-55, Col. 8 lines 1-13 and Col. 9 lines 19-21 of Howard); and instructions to analyze a response to said request, received from the network server, in order to ascertain what additional information is required (Col. 7 lines 58-67 and Col. 9 lines 43-62 of Howard).

19. With respect to Claim 11, Howard in view of Lincke teaches all the limitations of Claim 10 and further teaches wherein the code to access the proxy server based service comprises instructions to establish a connection with the proxy server, said instructions being executable before the instructions to establish a connection with the network server (Col. 5 lines 61-67 and Col. 6 lines 58-62 and Col. 9 lines 5-10 of Howard).

20. With respect to Claim 12, Howard in view of Lincke teaches all the limitations of Claim 11 and further teaches wherein the code to access the proxy based service comprises: instructions to create a proxy service request based on the response from the network server (Col. 7 lines 58-67 and Col. 9 lines 43-62 of Howard); and instructions to send the proxy service request to the proxy server via the connection with the proxy server (Col. 7 lines 58-67 and Col. 9 lines 43-62 of Howard).

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21. With respect to Claim 13, Howard in view of Lincke teaches all the limitations of Claim 11 and further teaches wherein the code to access the proxy based service includes instructions to forward the response from the network server to the proxy server via the connection with the proxy server (Col. 9 lines 19-47 and Col. 8 lines 56-66 of Howard).

22. With respect to Claim 14, Howard teaches a proxy server comprising: a processor (Col. 4 lines 19-22); and a memory device (Col. 4 lines 19-22), having stored therein a code, which when executed by the processor causes the proxy server to: receive a request from a communication device to a proxy server based service (Col. 6 lines 58-6, Col. 7 lines 58-67 and Col. 9 lines 43-62); process the request (Col. 7 lines 58-67 and Col. 9 lines 43-62); and send the result of said processing to the communications device for forwarding to a network server (Col. 8 lines 1-13 and Col. 9 lines 43-62) via a secure connection previously established between the communications device and the network server (Col. 9 lines 57-65). Howard does not explicitly disclose the communications device is as mobile communications device. Lincke teaches common communication devices for connecting to networks such as the Internet include mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3 line 24). It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the proxy server disclosed by Howard and modify it as indicated by Lincke such that the communications device is a mobile communications device. One would be motivated to have this as it is desirable to access networks such

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as the Internet through mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3 line 24 of Lincke).

23. With respect to Claim 15, Howard in view of Lincke teaches all the limitations of Claim 14 and further teaches wherein the code has portions which when executed perform a sequence of steps corresponding to a particular proxy service, the code further comprising instructions to execute a portion of the code corresponding to a particular proxy service based on the request from the mobile (Col. 2 lines 5-26 and line 65 - Col. 3 line 24 of Lincke) communications device (Col. 7 lines 20-47, Col. 7 lines 58-67 and Col. 9 lines 43-62 of Howard).

24. With respect to Claim 16, Howard in view of Lincke teaches all the limitations of Claim 14 and further teaches wherein the memory device further comprises a protocol stored therein to enable the processor to understand the request from the mobile (Col. 2 lines 5-26 and line 65 - Col. 3 line 24 of Lincke) communications device, in the event of said request being generated by a network server (Col. 9 lines 43-62 and Col. 8 lines 56-66 of Howard).

25. With respect to Claim 17, Howard teaches a network server, comprising: a processor (Col. 4 lines 19-22); and a memory device (Col. 4 lines 19-22) having stored therein executable code, which when executed by the processor causes the network server to receive a request from a communications device to an on-line service resident on the network server (Col. 6 lines 43-55, Col. 8 lines 1-13 and Col. 9 lines 19-22) wherein the request is part of a secure connection previously established between the network server and the communications device (Col. 9 lines 57-65); generate a

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response to said request (Col. 7 lines 58-67 and Col. 9 lines 43-62), the response indicating what additional information is required by the network server in order to process said request (Col. 7 lines 58-67 and Col. 9 lines 43-62) and said response being in a format which is understandable by a proxy server associated with the communications device (Col. 7 lines 58-67 and Col. 9 lines 43-62); and send the response to the communications device (Col. 7 lines 58 - Col. 8 line 12 and Col. 9 lines 43-62). Howard does not explicitly disclose the communications device is as mobile communications device. Lincke teaches common communication devices for connecting to networks such as the Internet include mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3 line 24). It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the network server disclosed by Howard and modify it as indicated by Lincke such that the communications device is a mobile communications device. One would be motivated to have this as it is desirable to access networks such as the Internet through mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3 line 24 of Lincke).

26. With respect to Claim 18, Howard teaches a machine readable program storage medium, having stored therein executable code, which when executed on a communications device, performs a method of using a communications device to access an on-line service provided by a network server (Col. 1 lines 7-20), the method comprising: accessing a proxy server based service (Col. 6 lines 58-67) in order to obtain information required by the network server in order to process a request to the on-line service (Col. 7 lines 58-67 and Col. 9 lines 43-62), wherein the request is part of

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a secure connection previously established between the communications device and the network server (Col. 9 lines 57-65); and sending the information to the network server via a secure connection with the network server (Col. 7 lines 58 - Col. 8 line 12 and Col. 9 lines 43-62). Howard does not explicitly disclose the communications device is as mobile communications device. Lincke teaches common communication devices for connecting to networks such as the Internet include mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3 line 24). It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by Howard and modify it as indicated by Lincke such that the communications device is a mobile communications device. One would be motivated to have this as it is desirable to access networks such as the Internet through mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3 line 24 of Lincke).

27. With respect to Claim 19, Howard in view of Lincke teaches all the limitations of Claim 18 and further teaches first determining what information is required by the network server in order to process the request (Col. 7 lines 58-67 and Col. 9 lines 43-62 of Howard).

28. With respect to Claim 20, Howard in view of Lincke teaches all the limitations of Claim 19 and further teaches determining what information is required by the network server comprises: sending the request to the network server in a secure manner (Col. 6 lines 43-55, Col. 8 lines 1-13 and Col. 9 lines 19-22 of Howard); receiving a response to said request, said response being indicative of the required information (Col. 7 lines 58-67 and Col. 9 lines 43-62 of Howard).

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29. With respect to Claim 21, Howard in view of Lincke teaches all the limitations of Claim 20 and further teaches accessing the proxy based service includes forwarding said response to the proxy server for processing (Col. 7 lines 58-67 and Col. 9 lines 43-62 of Howard).

30. With respect to Claim 22, Howard in view of Lincke teaches all the limitations of Claim 21 and further teaches the on-line service request (Col. 6 lines 43-55, Col. 8 lines 1-13 and Col. 9 lines 19-22 of Howard) is sent via a secure connection with the network server (Col. 9 lines 57-62 of Howard) and the proxy server is accessed via a connection with the proxy server (Col. 8 lines 56-66 of Howard), the method comprising establishing the connection with the proxy server prior to establishing the connection with the network server (Col. 5 lines 61-67 and Col. 6 lines 58-62 and Col. 9 lines 5-10 of Howard).

31. With respect to Claim 23, Howard teaches a machine readable program storage medium, having stored therein executable code, which when executed on a proxy server, performs a method for the proxy server to provide a proxy server based service to a communications device (Col. 1 lines 7-20), the method comprising: receiving a request from the communications device to the proxy server based service (Col. 7 lines 58-67 and Col. 9 lines 43-62); processing said request (Col. 7 lines 58-67 and Col. 9 lines 43-62); and sending the result of said processing to the communications device for forwarding to a network server (Col. 7 lines 58 - Col. 8 line 12 and Col. 9 lines 43-62) via a secure connection previously established between the mobile communications device and the network server (Col. 9 lines 57-65). Howard does not explicitly disclose

the communications device is as mobile communications device. Lincke teaches common communication devices for connecting to networks such as the Internet include mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3 line 24). It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by Howard and modify it as indicated by Lincke such that the communications device is a mobile communications device. One would be motivated to have this as it is desirable to access networks such as the Internet through mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3 line 24 of Lincke).

32. With respect to Claim 24, Howard in view of Lincke teaches all the limitations of Claim 23 and further teaches the request is the form of a response previously generated by the network server in reply to a request by the mobile (Col. 2 lines 5-26 and line 65 - Col. 3 line 24 of Lincke) communications device to access an on-line service provided by the network server (Col. 6 lines 43-66 of Howard), the method then comprising providing a protocol to understand said response (Col. 4 lines 3-13 and Col. 9 lines 19-51 of Howard).

33. With respect to Claim 25, Howard teaches a machine readable program storage medium, having stored therein executable code, which when executed by a network server, performs a method for the network server to provide an on-line service to a communications device (Col. 1 lines 7-20), the method comprising: receiving a request from the communications device to the on-line service (Col. 6 lines 43-55, Col. 8 lines 1-13 and Col. 9 lines 19-22) the request being part of a previously established secure connection between the communications device and the network server (Col. 9 lines 57-

65); generating a response to said request, the response indicating additional information that is required by the network server in order to process said request (Col. 7 lines 58-67 and Col. 9 lines 43-62) and said response being in a format which is understandable by a proxy server associated with the communications device (Col. 7 lines 58-67 and Col. 9 lines 43-62); and sending the response to the communications device (Col. 7 lines 58-67 and Col. 9 lines 43-62). Howard does not explicitly disclose the communications device is as mobile communications device. Lincke teaches common communication devices for connecting to networks such as the Internet include mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3 line 24). It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by Howard and modify it as indicated by Lincke such that the communications device is a mobile communications device. One would be motivated to have this as it is desirable to access networks such as the Internet through mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3 line 24 of Lincke).

34. With respect to Claim 26, Howard teaches a communications device (Col. 4 lines 14-17) comprising: means for allowing a user to input a request to an on-line service provided by a network server (Col. 6 lines 43-55, Col. 8 lines 1-13 and Col. 9 lines 19-22); means for determining whether additional information is required by the network server in order to service the request (Col. 7 lines 58-67 and Col. 9 lines 43-62); means for accessing a proxy server based service in order to obtain any additional information required by the network server (Col. 7 lines 58-67 and Col. 9 lines 43-62); and means for sending a request to the network server, said request including the additional

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information (Col. 7 lines 58 - Col. 8 line 12 and Col. 9 lines 43-62), wherein the request is part of a secure connection previously established between the communications device and the network server (Col. 9 lines 57-65). Howard does not explicitly disclose the communications device is as mobile communications device. Lincke teaches common communication devices for connecting to networks such as the Internet include mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3 line 24). It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the device disclosed by Howard and modify it as indicated by Lincke such that the communications device is a mobile communications device. One would be motivated to have this as it is desirable to access networks such as the Internet through mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3 line 24 of Lincke).

35. With respect to Claim 27, Howard teaches a proxy server comprising: means for receiving a request from a communications device (Col. 9 lines 19-62 and Col. 8 lines 56-66); means for processing the request (Col. 7 lines 58-67 and Col. 9 lines 43-62); and means for sending the result of said processing to the communications device (Col. 7 lines 58-67 and Col. 9 lines 43-62) for forwarding to a network server (Col. 7 lines 58 - Col. 8 line 12 and Col. 9 lines 43-62) via a secure connection previously established between the communications device and the network server (Col. 9 lines 57-65).

Howard does not explicitly disclose the communications device is as mobile communications device. Lincke teaches common communication devices for connecting to networks such as the Internet include mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3 line 24). It would have been obvious to one of

ordinary skill in the art at the time the invention was made to take the proxy server disclosed by Howard and modify it as indicated by Lincke such that the communications device is a mobile communications device. One would be motivated to have this as it is desirable to access networks such as the Internet through mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3 line 24 of Lincke).

36. With respect to Claim 28, Howard teaches a method of using a communications device to access an on-line service provided by a network server (Col. 1 lines 1-20), the method comprising; establishing a connection between the communications device and a proxy server (Col. 9 lines 5-10), the proxy server being configured to provide a proxy based service to the communications device (Col. 9 lines 5-10); establishing a second connection between the communications device and a network server (Col. 9 lines 57-65), wherein the second connection is a secure connection that co-exists with the first connection (Col. 9 lines 5-10 and lines 57-62); sending a request for information to the network server via the secure connection (Col. 6 lines 43-55, Col. 8 lines 1-13 and Col. 9 lines 19-22); receiving a reply to the request from the network server, the reply being indicative of additional information required by the network server in order to process the request (Col. 7 lines 58-67 and Col. 9 lines 43-62); using the connection between the communications device and the proxy server to access the proxy server based service (Col. 7 lines 58-67 and Col. 9 lines 43-62), the service being able to provide the additional information (Col. 7 lines 58-67 and Col. 9 lines 43-62); receiving the additional information from the proxy server via the connection therewith (Col. 7 lines 58-67 and Col. 9 lines 43-62); and sending an enhanced request to the network server

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via the secure connection therewith, the enhanced request including the additional information (Col. 7 lines 58 - Col. 8 line 12 and Col. 9 lines 43-62). Howard does not explicitly disclose the communications device is as mobile communications device.

Lincke teaches common communication devices for connecting to networks such as the Internet include mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3 line 24). It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by Howard and modify it as indicated by Lincke such that the communications device is a mobile communications device.

One would be motivated to have this as it is desirable to access networks such as the Internet through mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3 line 24 of Lincke).

37. With respect to Claim 29, Howard teaches a method for a proxy server to provide a proxy based service to a communications device (Col. 1 lines 1-20), the method comprising: receiving a request from the communications device to access the proxy server based service (Col. 9 lines 19-62 and Col. 8 lines 56-66); processing said request by generating an enhanced request including additional information provided by the proxy server based service (Col. 7 lines 58-67 and Col. 9 lines 43-62), the additional information being required by a network server in order to service a request for information sent by the communications device (Col. 7 lines 58-67 and Col. 9 lines 43-62) via a previously established secure connection with the network server (Col. 9 lines 57-65); and sending the enhanced request to the communications device for forwarding to the network server via the previously established secure connection (Col. 7 lines 58 -

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Col. 8 line 12 and Col. 9 lines 43-62). Howard does not explicitly disclose the communications device is as mobile communications device. Lincke teaches common communication devices for connecting to networks such as the Internet include mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3 line 24). It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by Howard and modify it as indicated by Lincke such that the communications device is a mobile communications device. One would be motivated to have this as it is desirable to access networks such as the Internet through mobile communications devices (Col. 2 lines 5-26 and line 65 - Col. 3 line 24 of Lincke).

Response to Arguments

38. Applicants' arguments filed 10/21/04 have been fully considered but they are not persuasive.

39. Applicants argue - *"In the system of Howard, the authentication request to the authentication server cannot be "in order to obtain information required by the network server in order to process a request that is sent to the network server via a secure connection previously established between the client computer system and the network server", as recited in Claim 1. The reason for this is that no connection between the client computer system and the network server is possible until the network server authenticates the client computer system and in order to authenticate the client computer system, the network server requires authentication information from the authentication server. Thus, in the system of Howard, the authentication server is not accessed in order to obtain information required by the network server in order to process a request to the network server sent via a secure connection previously established with the network server."*

- a. Howard explicitly states in Col. 9, lines 57-65,

"In an embodiment of the invention, a particular affiliate server may utilize only a portion of the services available from the authentication server. For example, the affiliate server may perform its own authentication for the user, but request the user profile information from the authentication server."
- b. Clearly, an affiliate server (the network server providing an on-line service) can perform its own authentication of the client to form a secure connection instead of using the authentication server. This authentication can be done as is known in the art as described in the background of Howard (see Col. 1 lines 36-49). As Howard explicitly states, the affiliate server may only require the authentication server to provide the user profile information in response to requests for that affiliate server's services (Col. 6 lines 43-55, Col. 8 lines 1-13 and Col. 9 lines 19-22). If the affiliate server does its own authentication, the client must be authenticated before the client can request the associated service or services. In other words, the secure connection is "previously established between the client computer system and network server". Only after this secure connection is established, will the client access the authentication server for whatever user profile information that was requested by the affiliate server in response to the client's request. Therefore, Howard's teachings are within the scope of *"accessing a proxy server based service in order to obtain information required by the network server in order to process a request to the on-line service, wherein the request to the on-line service is sent via a secure connection*

previously established between the client computer system and the network server".

40. Applicants argue - *"Moreover, Howard fails to teach or suggest that a secure connection is established between the client computer system and the network server."*

c. When an affiliate server (the network server) performs their own authentication of the client as stated in Col. 9, lines 57-65, the client is generally required to provide a login ID and password as described in the background (Col. 1 lines 36-49). This authentication is unique to the client and protects private or confidential data. While this can be broadly interpreted as a secure connection, Howard also teaches confidential data, including login information, can be encrypted through various security protocols (Col. 7 lines 1-15). Therefore, Howard teaches establishing a secure connection between the client computer system and the network server.

41. Applicants argue - *"Howard fails to disclose that the client computer system 100 maintains a connection with an affiliate server 104, which connection co-exists with a connection with an authentication server 110."*

d. As explained above, an affiliate server (the network server) may perform their own authentication of the client as stated in Col. 9, lines 57-65. In regards to the authentication server, the client may (Col. 6 lines 53-67) or may not (Col. 9 lines 5-10) have already established a connection with the authentication server. In either case, the client must establish a connection with the authentication

server in order to obtain the information required by the affiliate server in response to a request for the affiliate server's service or services (Col. 9 lines 57-62). Since the client will have already established a connection with the affiliate server that performs its own authentication, the client, in obtaining the required information, will have a connection with the authentication server that co-exists with the established secure connection to the affiliate server. Therefore, Howard's teachings are within the scope of "wherein the second connection is a secure connection that co-exists with the first connection".

Conclusion

42. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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43. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Lazaro whose telephone number is 571-272-3986. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



David Lazaro
January 28, 2005



HOSAIN ALAM
SUPERVISORY PATENT EXAMINER